

30 June 1955

Mr. Roger W. Jones
Assistant Director for
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

We have reviewed the draft of the Overseas Allowances Act of 1955 which you forwarded for comment on 22 June 1955. As stated in our letter to you of 25 January 1955, the Agency generally approves the purposes of the various provisions of this legislation, with the specific understanding that it in no way overrides or impairs the general authorities granted to the Agency under the Central Intelligence Agency Act of 1949, as amended.

There is a specific matter which we should like to call to your attention in connection with the proposed repeal of Section 901 of the Foreign Service Act of 1946 as provided in Section 411(2) of the draft bill. Section 5(b) of the CIA Act of 1949 authorizes the Director to grant to officers and employees allowances in accordance with the provisions of Section 901(1) and 901(2) of the Foreign Service Act of 1946. We have been informed that the Department of State is opposed to the repeal of Section 901, and if it is finally determined that the section is not to be repealed, then we believe appropriate amending language is necessary for CIA.

The allowances granted by CIA under Section 5(b) are in accord with the law and regulations of the Foreign Service. We believe it desirable to continue this and, therefore, would request that if Section 901 is not to be repealed, the Overseas Allowances Act of 1955 should include a provision in Title IV amending Section 5(b) of the CIA Act of 1949 by the insertion of a comma after the date "1946" and the insertion of the words "as amended". The section would then read as follows:

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of Section 901(1) and 901(2) of the Foreign Service Act of 1946, as amended.

As a technical matter we believe the words "as amended" are necessary since otherwise we would be limited under this section to the specific provisions of Section 901(2) of the Foreign Service Act of 1946 as it stood prior to the amendments to the section contained in the Foreign Service Act Amendments of 1955.

Sincerely,

L. K. White
Deputy Director

OGC:WLP/blc
Orig. & 1 - Add.
2 - Signer
2 - Legislative Counsel w/basic
1 - Comptroller
1 - Director of Personnel